

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

SANJUANA QUIROZ, Individually and on  
Behalf of all Others Similarly Situated,

Plaintiff,

v.

No. 2:21-cv-1197 SMV/KRS

DCT ENTERPRISES OF NEW MEXICO, LLC,

Defendant.

**ORDER TO SHOW CAUSE**

**THIS MATTER** comes before the Court *sua sponte*. Plaintiff initiated this action on December 17, 2021. (Doc. 1). On January 20, 2022, Plaintiff filed a summons indicating Defendant was served on January 12, 2022 and its answer was due February 2, 2022. (Doc. 3). No answer or other responsive pleading has been filed in this case. Rule 41(b) of the Federal Rules of Civil Procedure authorizes the Court to dismiss an action *sua sponte* for failure to prosecute. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003); see also D.N.M. LR-Civ. 41.1 (“A civil action may be dismissed if, for a period of ninety (90) calendar days, no steps are taken to move the case forward.”). More than ninety days have passed since Plaintiff took any step to move this case forward.

**IT IS THEREFORE ORDERED** that **on or before May 16, 2022** Plaintiff must provide the Court with a written explanation showing good cause why this case should not be dismissed for failure to prosecute.



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KEVIN R. SWEAZE  
UNITED STATES MAGISTRATE JUDGE